

## **REMARKS**

This paper is submitted in reply to the Office Action dated October 18, 2006, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, claims 16-20 were rejected under 35 U.S.C. § 101. Additionally, claims 1-7 and 16-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,047,257 to Fletcher et al.

Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained. Applicants have amended the specification to insert the application number of the related co-pending application, have canceled withdrawn claims 8-15 and have amended claims 16-20 to address the Examiner's §101 rejections. Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed.

Now turning to the subject Office Action, and specifically the §101 rejections, the Examiner will note that Applicants have amended claim 16 to recite a "program product," as well as to additionally recite program code that accesses the claimed data structure and a medium upon which the program code and data structure are borne. Claims 17-20 have also been amended for consistency with the amendment to claim 16. Applicants submit that claim 16 as amended recites statutory subject matter, and withdrawal of the §101 rejection is respectfully requested.

Next turning to the art-based rejections, and specifically to the rejection of independent claim 1, this claim generally recites a method for maintaining a data structure corresponding to an object having a first link from a first directory and a second link from a second directory in a filesystem. The method includes the steps of storing a first anchor point that references the first directory, said first directory being of a first filesystem implementation, and storing a second anchor point that references the second directory; said second directory being of a second filesystem implementation different than the first.

As such, claim 1 describes in part a data structure for an object that is both (1) the target of links from first and second directories; and (2) the originator of first and second

anchor points that reference back to those first and second directories. While other implementations may be envisioned, Fig. 10 illustrates one exemplary implementation in which a data structure 1002 is shown having links 1007, 1009 from first and second directories 1004, 1006, along with first and second anchor points 1010, 1012 that reference the first and second directories 1004, 1006.

In rejecting claim 1, the Examiner relies on Fletcher, and in particular, col. 6, lines 57-67 thereof. Fletcher, however, discloses a method for creating a "custom" filesystem for linking different versions of the same software to the systems that support the particular versions. Fletcher at the most discloses overlaying a custom filesystem that links directories in the custom filesystem to specific directories in another filesystem.

As best shown in Fig. 5, and discussed in the cited passage at col. 6, lines 57-67, Fletcher discloses that a directory in a custom filesystem, such as the "convert" directory or the "draw" directory, can link to a specific directory in another filesystem (e.g., "/main/drawing/draw\_1.4/x86/bin" for the "draw" directory). As such, by traversing the custom filesystem a user can ultimately reach the specific directory of interest in the underlying (non-custom) filesystem.

Importantly, however, Fletcher makes no mention of a single object or data structure (i.e. file or directory) that itself points to directories in multiple different filesystem implementations, where those directories themselves point back to the data structure. Put another way, Fletcher does not disclose any single object or data structure that has reciprocal links back and forth with multiple directories in different filesystem implementations. Fletcher only teaches that the objects such as directories can contain a link to the main filesystem (Fletcher, col. 6, lines 57-67). Importantly, however, Fletcher does not disclose any links back from the main filesystem to the custom filesystem.

For example, if the "draw" directory in the custom filesystem shown in Fig. 5 of Fletcher is considered to correspond to an "object" as recited in claim 1, this directory does include a reference to a directory in the main filesystem (e.g., the "/main/drawing/draw\_1.4/x86/bin" directory). Furthermore, it can be assumed *arguendo* that a "dot-dot" link could exist in the "draw" directory back to the parent "drawing" directory in the custom filesystem, arguably corresponding to a reference to the "drawing"

directory in a different filesystem from the main filesystem. The Examiner may take the position that these references correspond to the claimed "anchor points;" however, in order to anticipate the claim, Fletcher would additionally need to disclose additional links to the "draw" directory that originate from both of these referenced directories (the "drawings" directory in the custom filesystem and the "/main/drawing/draw\_1.4/x86/bin" directory in the main filesystem). A link from the "drawings" directory in the custom filesystem is shown in Fig. 5, but importantly, Fletcher does not disclose any corresponding link from the "/main/drawing/draw\_1.4/x86/bin" directory in the main filesystem to the "draw" directory.

If, on the other hand, one of the main filesystem directories (e.g., the "/main/drawing/draw\_1.4/x86/bin" directory), was considered to correspond to the "object" of claim 1, that directory might be considered to have links from first and second directories (e.g., the link from the "draw" directory in the custom filesystem and the "drawing" directory in the main filesystem (best shown in Fig. 2)). However, that directory does not include multiple anchor points back to the linking directories in the respective filesystems. In particular, even if a "dot-dot" link existed in the "/main/drawing/draw\_1.4/x86/bin" directory back to the "drawing" directory in the main filesystem, Fletcher still does not disclose referencing the "draw" directory in the custom filesystem from the "/main/drawing/draw\_1.4/x86/bin" directory in the main filesystem.

In order to anticipate claim 1, Fletcher would need to disclose, at a minimum, an object or data structure that includes links from first and second directories in different filesystem implementations, as well as links back to those first and second directories. Applicants can find no such disclosure in Fletcher, and accordingly Applicants respectfully submit that claim 1 is novel over Fletcher, and the rejection should be withdrawn.

In addition, Applicants submit that claim 1 is non-obvious over Fletcher, as there has been no objective evidence presented that would motivate one of ordinary skill in the art to modify Fletcher to incorporate reciprocal links between an object or data structure and multiple directories in multiple filesystem implementations. In fact, Fletcher itself teaches away from such a modification, as Fletcher notes at col. 4, lines 65-67 that

"[b]ecause the custom filenames are linked to the main filesystem, no special tools or modifications to the main filesystem are required." The addition of a link back from any object in a main filesystem to a custom filesystem, as disclosed in Fletcher, would necessarily require a modification to the main filesystem. Accordingly, Applicants submit that one of ordinary skill in the art would not be motivated to modify Fletcher to incorporate the configuration of links and anchor points as recited in claim 1, and therefore, claim 1 is also non-obvious over Fletcher. Reconsideration and allowance of claim 1, and of claims 2-7 that depend therefrom, are therefore respectfully requested.

Next with regard to the rejection of independent claims 16, 20 and 21, each of these claims recites in part a data structure corresponding to an object having a first link from a first directory and a second link from a second directory, where first and second anchor points are additionally included in the data structure to reference the first and second directories, and wherein the first and second directories are in different filesystem implementations. As discussed above in connection with claim 1, this combination of features is not disclosed or suggested by Fletcher. In particular, Fletcher does not disclose or suggest an object or data structure that includes links from first and second directories in different filesystem implementations, as well as links back to those first and second directories. Applicants therefore respectfully submit that claims 16, 20 and 21 are patentable over Fletcher for the same reasons as claim 1. Reconsideration and allowance of claims 16, 20 and 21, and of claims 17-20 and 22-27 that depend therefrom, are therefore respectfully requested.

As a final matter, Applicants traverse the Examiner's rejections of the dependent claims based upon their dependency on the aforementioned independent claims. Nonetheless, Applicants do note that a number of these claims recite additional features that further distinguish these claims from the references cited by the Examiner.

For example, claims 2, 17 and 23 recite that the object is a file. Fletcher, in contrast, only discloses links between directories in a custom filesystem and other directories in a main filesystem. Applicants can find no disclosure in the reference disclosing any file in a filesystem that is linked to by directories in multiple filesystem

implementations, much less a file that additionally includes links back to the directories in the multiple filesystem implementations.

In addition, claims 5, 20, and 26 recite that the first link from the first directory to the object is a directory link and the second link from the second directory to the object is a file link. Applicants can find, however, no object in Fletcher that has one type of link (a directory link) from a directory in one filesystem implementation, and another type of link (a file link) from a directory in another filesystem implementation.

Accordingly, Applicants submit that claims 2, 5, 17, 20, 23 and 26 are patentable over Fletcher for these additional reasons.

In summary, Applicants respectfully submit that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

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Date

/Scott A. Stinebruner/

Scott A. Stinebruner  
Reg. No. 38,323  
WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
Telephone: (513) 241-2324  
Facsimile: (513) 241-6234